IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 8524 of 2006(M)

PETITIONER:

M.V. AHAMMD KOYA HAJI, AGED 66 YEARS,
S/O. IMBICHAMMU, RESIDING AT 21/1041,
MAKKAT HOUSE, P.O. KALLAI, KOZHIKODE.

BY ADV. SRI.V.V.SURENDRAN
SRI.P.A.HARISH

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, KOZHIKODE.

2. THE SPECIAL DEPUTY TAHSILDAR,
REVENUE RECOVERY, KOZHIKODE.

3. THE VILLAGE OFFICER,
PANNIYANKARA VILLAGE, PANNIYANKARA, KOZHIKODE.

4. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY, WEST HILL, KOZHIKODE.

R1 TO R3 BY G.P. SRI. MOHAMMED RAFFIQ
R4 BY ADV. SRI.SAJAN MANNALI, SC, KWA
SRI.M.DINESH, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE BILL ISSUED BY THE KOZHIKODE CORPORATION TO THE PETITIONER FOR THE PERIODS 1984 JUNE TO 1984 DECEMBER

EXT.P2 TRUE COPY OF THE BILL ISSUED BY THE KOZHIKODE CORPORATION TO THE PETITIONER FOR THE PERIODS 1984 JUNE TO 1984 DECEMBER.

EXT.P3 TRUE COPY OF THE REVENUE RECOVERY NOTICE.

EXT.P4 TRUE COPY OF THE REPRESENTATION/OBJECTION FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 8524 OF 2006

Dated this the 12th day of June, 2007

JUDGMENT

The dispute between the petitioner and the water authority is in respect of water charges payable during the years 1992 to 2003. This court vide interim order dated 15.2.2007 directed payment of Rs. 4,000/- as a condition for stay. It is not known whether petitioner has made payment. If payment is not made, petitioner is granted time till 30.6.2007 to make payment. The balance amount involved is only Rs. 2,000/- and odd. In view of the inordinate delay on the part of the Water Authority in raising the bill, W.P. is partly allowed limiting the liability to the amount above referred. If Rs. 4,000/- is not paid before 30.6.2007 Water authority is free to recover the full amount.

(C.N.RAMACHANDRAN NAIR)
Judge